

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
JOSE INEZ GARCIA-ZARATE,  
  
Defendant.

Case No. [17-cr-00609-VC-1](#)

**ORDER REQUIRING THE UNITED  
STATES MARSHAL TO REPORT ON  
POSSIBLE CHANGE IN CUSTODY  
LOCATION**

Before trial, the Court became concerned that the defendant was not competent to stand trial or to make an informed decision about whether to plead guilty. After several evaluations and a hearing, the Court found that the defendant was not competent, and ordered him transferred to a Bureau of Prisons facility to be restored to competency. The Bureau of Prisons, after ensuring that the defendant was receiving and taking proper medication, certified that it had restored the defendant to competency. However, once the defendant was returned to the Santa Rita Jail for pretrial detention, he stopped receiving his medication. Based on this, as well as the defendant's behavior during a status conference, the Court is again concerned that the defendant is not competent to stand trial or to make an informed decision about whether to plead guilty.

The Court would prefer not to send the defendant back to a Bureau of Prisons facility. Accordingly, the United States Marshal is requested to make his best efforts to find a different local detention facility for the defendant—a facility that will be more reliable in ensuring that the defendant receive and take his medication. The Marshal is directed to report back to the Court within 14 days on the status of his efforts to relocate the defendant.

**IT IS SO ORDERED.**

Dated: November 22, 2021

A handwritten signature in black ink, appearing to read 'VCH', is positioned above a horizontal line.

VINCE CHHABRIA  
United States District Judge